

1 GEORGE FROST (State Bar No. 178528)
2 LAW OFFICES OF GEORGE FROST
2930 Magnolia Street
Berkeley, CA 94705
3 Phone: (510) 666-6001
Fax: (415) 247-6001
4 geofrost@comcast.net

5 Attorneys for Plaintiff
CAD SYSTEMS UNLIMITED, INC.

6 MICHAEL J. BETTINGER (State Bar No. 122196)
7 PRESTON GATES & ELLIS LLP
55 Second Street, Suite 1700
8 San Francisco, CA 94105
Phone: (415) 882-8200
9 Fax: (415) 882-8220
mikeb@prestongates.com

10 Attorneys for Defendant
11 MICROSOFT CORPORATION

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 CAD SYSTEMS UNLIMITED, INC., a
17 California corporation,

18 Plaintiff,

19 vs.
20 VISION CORPORATION, a Washington
corporation; MICROSOFT CORPORATION,
21 a Washington corporation,

22 Defendants.

Case No. C 06-0927 JSW

**[PROPOSED] ORDER AND
STIPULATED DISMISSAL
WITHOUT PREJUDICE OF
DEFENDANT VISION
CORPORATION**

23 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, plaintiff CAD Systems
24 Unlimited, Inc. (“CAD Systems”) and defendant Microsoft Corporation (“Microsoft”) hereby
25 stipulate to the voluntary dismissal without prejudice of Visio Corporation (“Visio”) as a defendant in
26 this action. The parties so stipulate because, (1) after its acquisition by Microsoft, Visio ceased to
27
28

1 exist as a separate corporate entity, and (2) Microsoft agrees that it is the real defendant party in
2 interest in this litigation.

3 DATED: May 22, 2006

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
LAW OFFICES OF GEORGE FROST

By _____/s/
George Frost
Attorneys for Plaintiff
CAD SYSTEMS UNLIMITED, INC

DATED: May 22, 2006

PRESTON GATES & ELLIS LLP

By _____/s/
Michael J. Bettinger
Attorneys for Defendant
MICROSOFT CORPORATION

IT IS SO ORDERED.

18
19
20
21
22
23
24
25
26
27
28
DATED: May 23, 2006



United States District Judge